

Exhibit 4

Liliana Camara Deposition

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

Civil Action No.: 1:18-cv-1046

HUI MINN LEE,)	
)	
Plaintiff,)	<u>D E P O S I T I O N</u>
)	
vs.)	
)	* C O P Y *
MARKET AMERICA, INC.,)	
)	
Defendant.,)	
)	
-----)	

LILIANA CAMARA

101 South Elm Street
Greensboro, North Carolina

Tuesday, April 27, 2021
10:03 o'clock a.m.

Cassandra J. Stiles, CVR-M
Certified Court Reporter



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1 trainings?

2 A. Yes.

3 Q. Okay, and did some of those live, in-
4 person trainings happen to be conducted in other
5 countries?

6 A. Yes.

7 Q. As you sit here today, do you have a
8 recollection of what other countries Ms. Lee was
9 required to perform live, in-person trainings?

10 A. Malaysia and Singapore and Taiwan.

11 Q. Was Ms. Lee responsible, to your
12 knowledge, for performing live, in-person training
13 within the United States?

14 A. Yes.

15 Q. And what states do you recall that she
16 might have to go to to perform those live, in-person
17 trainings?

18 A. States other than North Carolina, it was
19 Monterey, the office that we used to have out in
20 Monterey.

21 Q. California?

22 A. Yes.

23 Q. Okay. Anywhere else that you can think
24 of?

25 A. Hmm.



1 Q. Okay. Now, as you sit here today, do you
2 have a recollection of any other primary job
3 responsibilities that Ms. Lee had other than
4 training?

5 A. No.

6 Q. None?

7 A. No recollection. No.

8 Q. Was Ms. Lee required to submit any type of
9 data compilations to you regarding the training that
10 she conducted?

11 A. I mean, other than -- we would -- I'm
12 fuzzy on this memory. But we would keep sort of
13 like a little database or an idea map of what
14 everybody was working on or had been working on. So
15 maybe like a summary or a list, this is what I'm
16 doing, this is what I'm doing. So we would all do
17 that.

18 Q. Okay, so was Ms. Lee required to submit
19 that summary of what she was doing to you on a
20 general basis or a daily, regularly, monthly basis?

21 A. Maybe at least once a year. If it was
22 more than that, it wasn't too often.

23 Q. Okay. Was there a time where you required
24 Ms. Lee to submit any type of written documentation
25 to you about any of her work performance when she



1 fine.

2 Q. Okay, so I was asking you -- my next
3 question was going to be was there a time when Ms.
4 Lee was required to conduct training within the
5 United States and she failed to do so?

6 A. Yes. So that was more of an issue when we
7 hired anyone that spoke Mandarin and very little to
8 none English. So in that case, she would be asked
9 to perform a different -- sort of like the same
10 training that was happening in this room, she was
11 asked to do it in a different place with the new
12 hires that were not bilingual. And she would
13 refuse.

14 Q. Okay, and when do you recall that
15 happening?

16 A. So there were two instances that I
17 remember very clearly. There may have been more.
18 One was when I actually was in charge of that
19 unfranchise services training. And two reps sat on
20 my training for the entire time, and they were
21 eventually falling asleep in the middle of my
22 training because they did not understand a word of
23 what I was saying. So that was one.

24 And then ---

25 Q. --- They didn't understand what you were



1 saying?

2 A. Yes. Because they didn't speak any
3 English.

4 Q. So how did that affect Nadine?

5 A. Because she refused to do that training
6 for them in Mandarin.

7 Q. So are you saying because she refused to
8 do it, you had to do it, or -- I'm not ---

9 A. --- They have to sit in my training, yes.

10 Q. Okay, and then go ahead. I'm sorry.

11 A. And so that was one.

12 And then another one was when a group --
13 this was a group, and I don't remember exactly the
14 number. But it may have been maybe five reps. And
15 all of them were not bilingual.

16 So it was a long back-and-forth basically,
17 almost until the point that were like, I'm sorry,
18 but you are going
19 to have to do it, because they really and truly
20 don't speak English, so there's nothing we can do.

21 But there was a lot of resistance to do
22 it. And then we had -- when it finally happened
23 that she eventually did the training, we ended up
24 having a lot of concerns about how the quality of
25 that training was. You know, the performance and



1 the overall quality of the training.

2 Q. Okay, and when you say we had concerns
3 about the overall quality of the training, who are
4 you referring to?

5 A. I'm referring to myself and Sherry and
6 Brandi, the head of the unfranchise services
7 department.

8 Q. And did you sit down and talk to Ms. Lee
9 about it?

10 A. No.

11 Q. Why not?

12 A. Let's see, how do I -- I think that at
13 that point, I was taxed with having tried to
14 communicate with Nadine in the past, and getting a
15 lot of resistance as far as, I'm not going to do
16 that, you don't need to know about that. There
17 would be -- I would always try to get her involved
18 in what the team was doing, or get like decision-
19 making.

20 And in my leadership style, decisions
21 should be a group. You know, as a team, we're going
22 to look at the advantages, disadvantages, and decide
23 what is best for the team. And I never felt like
24 that was her mode of operating.

25 So it was whatever she decided to do,



1 that's what she was going to do. And she was doing
2 it right, and there was no questions. You know,
3 there was no question about that. So that's part of
4 it.

5 And then, the other part was that the
6 person who raised the concern about the quality of
7 the training was very adamant. When she raised the
8 concern to us, and by us I mean Brandi first, then
9 myself. And Brandi and I had a conversation with
10 Sherry. She asked please do not share that I was
11 the person bringing this up, because I am afraid
12 this is going to affect, you know, my work
13 environment.

14 So we -- I mean, I wasn't going to sit
15 down with Nadine and say, oh, this person is saying
16 -- is raising concerns about the content and the
17 quality and what's happening. Because we had agreed
18 to respect that person's request or desire of not,
19 you know -- or whatever she was saying to not be
20 discussed out in the open.

21 Q. When did this occur?

22 A. I am really fuzzy on those dates. But it
23 was -- it was that last training. Then there has to
24 be documentation on when that last training
25 happened.



1 Q. So, then, we agree that it could not have
2 happened after 2016?

3 A. I am -- I really don't remember. I'm very
4 fuzzy on the specific dates.

5 Q. Okay, but what you do recall and what
6 you're certain of is that Colbert was Ms. Lee's
7 manager at the time this incident occurred.
8 Correct?

9 A. So Colbert started -- let's see. I came
10 in November of 2013.

11 Q. Uh-huh.

12 A. And then for a while, and I don't remember
13 how long that while was, we did not really had a
14 head of training. Because Amanda wasn't replaced
15 immediately. But then a few months later, and I
16 wish I could remember when that was, Colbert came
17 in.

18 Q. Okay. Let me just hand you this document,
19 it might help to refresh your recollection about
20 when everything happened. Okay?

21 What I'm handing you is the Declaration of
22 Liliana Camara. And it is -- it has been marked ---

23 A. --- Oh, this one from a while ago. Okay.
24 Never mind.

25 Is this the thing you asked me at the



1 Q. Who had access to see it?

2 A. I mean, the company has access to all of
3 our emails, so....

4 Q. Well, what I don't understand from you, as
5 a supervisor, Nadine's supervisor specifically, are
6 you saying to me that rather than speak to Ms. Lee
7 or document what she wasn't doing and sharing it
8 with, say, human resources, you just decided to keep
9 a separate folder just in case you might need it at
10 some point in the future?

11 A. No. No. That's not what I said.

12 Q. Okay.

13 A. So we did actually -- so I did talk to
14 Nadine several times about can we work together, can
15 we work as a team, can we agree -- you know, kind of
16 -- I would reach out to her several times. And I
17 will explain to her, I don't understand why you're
18 refusing to conduct these trainings in Mandarin if
19 they do not speak English.

20 And the answer would always be the same.

21 Well, no, because that -- I'm not doing those
22 trainings. You know like it will be that refusal.

23 We will talk about it with Colbert, of course. We
24 will talk about it after. I did talk about it with
25 Sherry.



1 But it was very -- I did complain to
2 Nadine that I did not feel I was getting the
3 teamwork environment that I was hoping for. That
4 she -- in a lot of ways I felt like she was imposing
5 her will on what she was going to do and wasn't
6 going to do, and that I did not want to run the
7 training department in that way. But nothing change
8 anyway. So I did talk to her several times.

9 Q. Uh-huh. So when you talked to Nadine, did
10 you ever give her a written reprimand for poor job
11 performance?

12 A. Not that I remember.

13 Q. Did you ever give her a written reprimand
14 for insubordination?

15 A. No.

16 Q. Did you ever go to Sherry and instruct
17 Sherry or discuss with Sherry your need to issue a
18 written reprimand to Nadine?

19 A. No.

20 Q. For any reason, you never spoke to Sherry
21 about Nadine's job performance until you decided to
22 terminate her. Correct?

23 A. Oh no, no, no, no. We did talk about it.
24 I just didn't say here's what I need to do, or do I
25 reprimand or write her or anything like that.



1 But it was very -- it was like a known
2 issue that Nadine would impose whatever she decided
3 that she was going to do. It was a known issue for
4 all of us that worked with her.

5 Q. Uh-huh.

6 A. And so I did talk about it with Sherry,
7 with Colbert, even with Amanda.

8 Because just as an example, the first day
9 on my job when I was introduced to the group, Amanda
10 discussed, okay, here's how we're going to do this.
11 Here's how we're going to divide up the workload.
12 And Nadine, in front of the entire group, refused
13 and challenged Amanda and said I'm not going to do
14 that.

15 And so we had to end the meeting with
16 Amanda saying, okay, Nadine, you and I are going to
17 discuss this, and then we'll get back to the group.
18 So it was always like that.

19 So I'm not going to do that, I don't
20 agree. I'm not going to do it. This is what I'm
21 going to do, and that's it. So it was -- that was
22 the sense always.

23 Q. That was your sense always. Correct?

24 A. Yes.

25 Q. And a sense that you never really shared



1 Because with -- I mean, it was super
2 taxing. And I would try to put myself in her shoes
3 as much as I could. I mean, like I would be like if
4 I had been doing this for 17 years, I would be
5 wanting to not do it either. You know what I mean?

6 So it wasn't -- so tolerating to me was,
7 to a degree, you know, that tolerance ended at some
8 point. But it was because I understood the human
9 aspect of, man, you've been doing this for too long.

10 And it was almost like an inside joke
11 whenever we were doing that training, my husbands
12 knew to not even talk to us when we got home because
13 we were taxed.

14 And so it was a little bit of me trying to
15 be understanding of Nadine's history, and respecting
16 the fact that she had been there for a long time,
17 doing it mostly by herself. So she was sick and
18 tired of it.

19 Q. So your testimony is that you overlooked
20 what you thought were issues regarding Nadine's job
21 performance because you were looking at the human
22 aspect of what Nadine was going through?

23 A. Yes. That was a part of it, yes.

24 Q. And in doing so you ultimately decided to
25 fire her, though, didn't you?



1 A. No. That's not how I would put it. When
2 the decision at the end was you keep refusing to do
3 a thing that makes sense for you to do. You're the
4 only one that speaks that language in this
5 department. Right?

6 So you keep refusing to do it, and it's
7 pulling teeth, and it's taking so much effort to
8 finally almost having to tell you whether you're
9 wanting to do it or not, you are going to do it.
10 Which is not the management style I like. I like to
11 work with people, not bark orders and say because I
12 say so. Right?

13 But it eventually ended up -- with this
14 particular last training, it eventually ended up
15 being the case. Because I'm not going to have five
16 people sitting in a training that do not speak
17 English. You know, it's just ridiculous.

18 And then, at the end, you're doing it, and
19 you're doing it poorly. So we've tried. We've
20 given you enough chances to reconsider your attitude
21 and work with us as a team. And you're still not
22 doing it, so we don't see another option.

23 Q. Well, when you said you've given her
24 enough chances, you never told her that she was in
25 jeopardy of losing her job because she was not doing



1 it or performing it properly. Correct?

2 A. Correct.

3 Q. So when you say you've given her enough
4 chances, what are you talking about?

5 A. Pointing out that we needed her to do
6 this, that it makes sense for her to do this. That
7 I complained several times directly to her, can you
8 be a team player. I need a team. We're not going
9 to be able to deliver all of this workload if we
10 don't work as a team.

11 Q. What kind of job repercussions did you
12 suffer because of Nadine's deficiency in terms of
13 performing training?

14 A. We -- I knew that the unfranchised
15 services reps that were not being trained in English
16 were doing a poor job at their job, at their job,
17 because they were not trained properly.

18 Q. And so how did that affect your department
19 or how did that affect you?

20 A. It affected the quality of what we did.
21 We were supposed to deliver these reps ready to take
22 calls and answer the customer's questions. And they
23 were not equipped to do that because their training
24 did not happen optimally.

25 Q. And how many people are you talking about?



1 A. At least the two that I talked about
2 before. And then the other five. And I can't
3 recall the exact number. But it was either five or
4 six.

5 Q. So are you telling me that Nadine's,
6 quote, poor job performance affected up to seven
7 people in the department?

8 A. So seven people in the unfranchised
9 services department.

10 Q. Uh-huh.

11 A. And then on our end, particular in our
12 department, it'll be that whatever she refused to
13 do, then we'll have to do it. And there was a huge
14 project that we undertake at some point of creating
15 like a data -- like a learning management system, a
16 Wiki type documenting platform for all of the
17 training, documenting everything training-wise.

18 And so we needed the entire team to work
19 on that project. It was a huge project. And Nadine
20 refused to work on it.

21 So whatever, you know, could have been her
22 thing to do, it was, Henri, you do it, Abby, you do
23 it. Somebody else do it, because I'm not going to
24 do that.

25 Q. Now, you're saying she refused to work on



1 A. Yes. Yes.

2 Q. Not the university?

3 A. No, no, no.

4 Q. All right, and then, in number four, you
5 say Nadine Lee was a staff member of the corporate
6 training group when you joined the company.

7 A. Uh-huh.

8 Q. Do you see that?

9 A. Yes.

10 Q. Nadine was in a management position when
11 you joined the company, wasn't she? Or do you know?

12 A. That I know. So the manager from that
13 team, when I was hired, was Amanda. And then Amanda
14 had Nadine and Sherry under her. And it was my
15 understanding that they were both in the same level
16 and reported to Amanda, and that was it.

17 Q. All right. Let's go to the second page of
18 your declaration and look at paragraph six. I
19 championed a number of initiatives in an effort to
20 streamline the corporate training program. For
21 example, I decided that the corporate training group
22 would transition from Microsoft Office to a
23 Microsoft program known as Confluence. Confluence
24 promoted team collaboration, Nadine objected and
25 refused to learn or work with the tool.



1 A. The way I would say it affected me was
2 that I was not being able to produce from the
3 training department what I wanted to produce.

4 A cohesive -- like in that particular
5 example, in that very specific example. I wanted
6 for that tool to house everything that we were doing
7 on training. And that was going to include all of
8 the content in English, content in Spanish, content
9 in Mandarin.

10 So like right off the bat the Mandarin
11 content wasn't going to happen because she was not
12 going to upload it, and she was not going to do it.
13 So it was going to be incomplete. So I felt like
14 what I was delivering as a whole department wasn't
15 happening because of that. In that sense, yes.

16 Q. And you did what about it?

17 A. I did not document it, if that's what
18 you're asking. No, I did not.

19 Q. What did you do about it?

20 A. I would discuss it.

21 Q. With whom?

22 A. With Nadine, with Colbert and with Sherry.

23 Q. And that's it?

24 A. Yes.

25 Q. Okay. Going down to paragraph seven, you



1 your knowledge on what was happening, all you knew
2 was this little part here. And I didn't think that
3 was a good use of our human potential in the
4 department.

5 Q. Who else was able to conduct Mandarin
6 training?

7 A. Nobody.

8 Q. Just Nadine. Correct?

9 A. Uh-huh.

10 MS. DEBOARD: Was that a yes?

11 THE WITNESS: Yes. Sorry.

12 Q. (Ms. Gray) You say Nadine objected to
13 this, claiming that she was the only expert in
14 certain aspects of the company, and that she would
15 only allow another trainer to conduct her trainings
16 every once in a while, as long as she could monitor
17 the training, and only her materials were used.

18 Do you see that?

19 A. Uh-huh.

20 Q. You agree that Nadine was the only expert
21 in Mandarin training for the company. Correct?

22 A. Yes.

23 Q. And up until the time that you came in as
24 Nadine's manager, Nadine was the one who was
25 responsible for preparing all of the materials



1 Q. (Ms. Gray) Okay. Now, before we stopped,
2 we were talking about paragraph number 11 on your
3 declaration. And you said simply stated, Nadine did
4 not accept the new vision of the corporate training
5 group.

6 Do you see that?

7 A. Uh-huh.

8 Q. Did you ever document, in terms of an
9 email to your staff or any type of a newsletter or
10 an announcement, what your new vision was for
11 corporate training -- for the corporate training
12 group?

13 A. Written? No, that I remember.

14 Q. Right.

15 So any announcement that you would have
16 made did not come in the form of something written
17 that would have been disseminated throughout the
18 company. Is that correct?

19 A. Correct.

20 Q. So then, the only evidence you have of
21 what your new vision for the corporate training
22 group was would have been a verbal announcement or a
23 statement to the members of that staff. Correct?

24 A. Correct.

25 Q. Did you collectively meet as a group



1 together at once to talk about your new group
2 vision?

3 A. Yes.

4 Q. When was that?

5 A. When we talked about it, when we -- when
6 Colbert left. We had two meetings. We had one
7 meeting as a team. I mean -- team, I mean Nadine,
8 Cherri, Henri, Abby and myself.

9 And then, we had basically the same
10 meeting with Sherry. Because Sherry wanted to get
11 more acquainted with what the training department
12 was doing since Colbert never really got replaced in
13 terms of -- because Colbert used to report to Mark.

14 And so, when I -- this was -- so after
15 Colbert left, I was going to be promoted as managing
16 the department, but reporting to Sherry. So it was
17 almost like Sherry was going to be the new Colbert,
18 but Sherry didn't know what Colbert did or didn't
19 do, a lot of what Colbert did. So she needed to
20 know exactly what we were all working on and were
21 going to do.

22 So we had that second meeting, and we
23 basically went over the same thing that we had
24 already discussed without Sherry.

25 Q. Are you aware that there was a job



1 responsibilities meeting in September of 2016?

2 And that was the one that was held by
3 Colbert.

4 A. 2016? Yeah. I mean, we had several
5 meetings. I cannot say that I remember that one
6 specifically.

7 Q. But was that the meeting where Colbert
8 talked about what she did and what the transition
9 was going to look like with her being gone?

10 A. September of 2016?

11 Q. Yes.

12 A. But she left in ---

13 Q. --- November.

14 A. Oh. So yes. So then, there must have
15 been one before she left, yes.

16 Q. And then, was there also a meeting in
17 January of 2017 where Sherry was present?

18 A. Yes.

19 Q. And during that meeting, isn't it true
20 that you all discussed the job responsibilities for
21 the individuals in the corporate training group?

22 A. Yes.

23 Q. And do you have a recollection of what job
24 responsibilities were assigned to Nadine?

25 A. So yes. Basically the same -- the same



1 that we have been doing -- it was almost like
2 nothing big changed after Colbert left in terms of
3 what we were doing, the way we were operating.
4 Right.

5 So Nadine was going to be in charge of
6 anything that had to do with Mandarin or Asian
7 country markets. And whatever else she was doing
8 before, it was going to continue to be the same,
9 with one exception probably. Well, two exceptions.
10 The new -- sort of new thing, that was Confluence.
11 That was going to be something that was not
12 happening before.

13 And then, I also had a suggestion, and
14 that's what -- maybe point seven -- where there was
15 training, the MPCP training that was done for new
16 hires in the company in general. That was in a
17 training that was a big, huge spider web the
18 training department did in general. Because, again,
19 the bulk of it was unfranchise services, the reps.

20 But we did need for the whole company, our
21 employees, to know high-level idea of what the
22 company was about. And so Nadine was in charge of
23 doing that training solely before, entirely. That
24 was her training.

25 And I saw an opportunity for growth for



1 all of us, actually, in the department to deliver
2 that training. So that was the only suggestion. So
3 other than Confluence and that change, nothing else
4 changed.

5 Q. Okay. Now, let me ask you about the
6 cross-training. What was the ultimate result of
7 your cross-training vision within the department?

8 A. So a couple of things. So what I talked
9 about before, where if somebody was caught up with a
10 project and that training needed to happen, other
11 people could do it. That was one.

12 With the MPCP, specifically -- so the
13 company, as I've mentioned before, has two big
14 conferences a year. And there's a lot of prepping
15 that goes on that. It's about, I don't know, two or
16 three months before those conferences, a lot of
17 people put aside whatever they're doing, and they
18 only work on those things.

19 So in training we have to at the same time
20 be prepared to deliver trainings for those new
21 programs as soon as they came up. And so for us to
22 be able to get screenshots or material on what those
23 programs were, because they were happening so
24 quickly, it was better to have connections in the
25 company to know who does what.



1 A. Yes.

2 Q. Just you and Sherry?

3 A. Uh-huh.

4 Q. And did you go to Sherry and tell her that
5 you were planning to terminate Nadine?

6 A. No. I think this was a decision that both
7 of us ended up concluding at the end of a meeting.

8 Q. When was that meeting?

9 A. I cannot remember that. It wasn't too far
10 from the actual termination date.

11 Q. So did you go to Sherry and say you're
12 thinking about terminating Nadine, or was it vice
13 versa, or how did it -- how did this meeting come
14 about?

15 A. We had several -- Sherry and I had several
16 conversations about the concerns we had with
17 Nadine's attitude. And given that it had been so
18 consistent, and given that she had refused or
19 challenged the authority of her last three managers,
20 myself included, we concluded that it was in the --
21 the best interest for the company was to not have
22 Nadine in the team.

23 Q. Okay, and you and Sherry made that
24 decision?

25 A. Yes.



1 Q. And who communicated the decision to
2 Nadine?

3 A. I did.

4 Q. How did you do that?

5 A. In a meeting at Sherry's office.

6 Q. Okay. How did you set the meeting up?

7 A. I was in Sherry's office, and Sherry
8 called Nadine at her cubicle and asked her to come
9 to the office.

10 Q. And once she came to the office, what was
11 said?

12 A. I don't remember exactly. But I
13 communicated to Nadine that we have reached the
14 decision to let her go because of issues with her
15 performance.

16 Q. Issues with her performance? Job
17 performance?

18 A. Yes.

19 Q. And that's what you told her?

20 A. Well, so my -- the core of my argument was
21 that Nadine was not being a team player, basically.
22 That we were having a lot of trouble getting her to
23 work as a part of the team. That she was just doing
24 whatever she decided she was going to do, and that
25 was it. And that we could not continue to operate



1 the team -- the training team under those
2 circumstances.

3 Q. Okay. Now, I asked you earlier if you had
4 given Nadine any verbal warnings about her job
5 performance. And I believe your answer was no. Is
6 that correct?

7 A. Uh-huh. Correct.

8 Q. Okay. Are you aware that the company has
9 an employee handbook that contains policies related
10 to various aspects of the job, including policies
11 that pertain to disciplining an employee other than
12 dismissal?

13 A. No.

14 Q. You never knew about these policies?

15 A. I don't remember reviewing them, no.

16 Q. Did you have any training on the policies?

17 A. I received a handbook, and I should have
18 read as much as I could when I was first hired. But
19 that was it.

20 Q. Okay. I have been provided documents by
21 the company that are Bates stamped MA725 through
22 740. And these are the employee policies that I'm
23 referring to.

24 And according to their employee policies,
25 verbal warnings, although they are verbal in nature,



1 A. Correct.

2 Q. And to your knowledge, Sherry never
3 provided any type of written warning to Nadine.

4 Correct?

5 A. Correct.

6 Q. And as you sit here today, you would agree
7 with me that you've never produced any such a
8 writing that would have been included in Nadine's
9 personnel file. Correct?

10 A. Correct.

11 Q. And to your knowledge, did Sherry ever
12 produce any written warning that would have been
13 included in Nadine's personnel file?

14 A. Not that I know of.

15 Q. At the time that you terminated Nadine,
16 you indicated that you replaced her with Rose. Is
17 that true?

18 A. Uh-huh.

19 MS. DEBOARD: Is that a yes?

20 THE WITNESS: Yes.

21 Q. (Ms. Gray) Why did you replace her with
22 Rose?

23 A. So during Rose's training -- so first of
24 all, Rose was bilingual. And finding a Mandarin and
25 English combination of bilingual person around here



1 is not that easy. That was a huge advantage.

2 And during Rose's training, she displayed
3 a great amount of work ethic, interest in the job,
4 interest in learning. In fact, she asked -- we
5 never asked her to attend meetings, training,
6 because she was having that training in English. So
7 we didn't deem it necessary.

8 But she asked Brandi for permission to
9 attend that training so she could get more of what
10 she was already being trained on, right. The more
11 exposure, the more she could learn.

12 And then, when she was attending that
13 training, she realized, oh, they're reviewing
14 material that has screenshots that are not updated.
15 Some of the things that are being said here conflict
16 with the other thing that I'm learning in that
17 training.

18 And so she displayed a great interest in
19 properly learning the job duties and being
20 proactive.

21 Q. Okay, so at the time that Nadine was
22 terminated, her title was global training projects
23 manager. Correct?

24 A. Correct.

25 Q. And are you telling me that you hired Rose



1 to a management position to take Nadine's place?

2 A. So Rose was not going to take the complete
3 -- so Rose was not going to take the complete
4 portfolio of what Nadine was doing. It was going to
5 be mainly -- and Nadine had experience -- I mean,
6 Rose had experience as an instructor. I believe she
7 had been -- she had had a teaching position in
8 China, if I remember correctly. So she was trained
9 as a trainer.

10 And so she was not going to take -- at
11 least to begin with, it was not going to be one
12 hundred percent of what Nadine did.

13 Q. So you agree with me that Rose was not
14 hired to take Nadine's position as the global
15 training projects manager?

16 MS. DEBOARD: Objection to form.

17 Q. (Ms. Gray) Correct?

18 MS. DEBOARD: Objection to form. You
19 can answer.

20 THE WITNESS: She was not given the
21 exact same title, no.

22 Q. (Ms. Gray) And you would agree with me
23 that the training Rose received prior to taking
24 Nadine's job was training that she received from
25 Nadine?



1 Q. Just you made that decision. Correct?

2 A. Yes.

3 Q. What portion of Nadine's job was assigned
4 to Rose?

5 A. I would say -- so it gets tricky because
6 since Nadine was refusing to work on Confluence, I
7 cannot count that as part of her job, because she
8 wasn't doing it.

9 But from what she was doing, I would say
10 70 to 80 percent what got transferred to Rose.

11 Q. Seventy to 80 percent of what Nadine had
12 been doing was transferred to Rose?

13 A. Uh-huh. Yes.

14 Q. Are you sure about that?

15 A. From the recollection I have today, yes.

16 Q. Did you interview anyone for -- to take
17 Nadine's position?

18 A. We interviewed Rose.

19 Q. When you say we, who do you mean?

20 A. Brandi, Sherry and I.

21 Q. Was the position posted?

22 A. I do not remember.

23 Q. Did you receive applications for the
24 position?

25 A. I don't remember.



1 application?

2 A. Uh-huh.

3 Q. So at the time that you made the decision
4 to hire Rose in the position, what did you know
5 about her job performance or her background, other
6 than what you saw in terms of her working under your
7 supervision?

8 A. She had experience in instruction,
9 teaching ---

10 Q. --- You saw her -- you saw this. Is that
11 what you're saying?

12 You observed her having ---

13 A. --- No. From her background.

14 Q. Okay. Listen to my question. All right?
15 You said you don't recall if you saw the
16 application before you hired her. Correct?

17 A. Correct.

18 Q. So let's talk about the things you do
19 know. And that is in terms of what you observed
20 from Rose.

21 A. Yes. In terms of what I observed from
22 Rose was her work ethic, her way of being super
23 proactive to learn more things, to make sure that
24 she understood entirely what she's supposed -- she
25 was supposed to know, to go above and beyond what



1 she was asked.

2 And I did talk to her at some point about
3 her teaching experience. So I knew that. And she
4 did share with me something that I don't see listed
5 there, which was teaching in China. So I don't know
6 if I saw that in there or not.

7 Q. Uh-huh.

8 A. But we did talk about that. So I knew she
9 had that experience.

10 Q. Okay. Anything else?

11 A. No.

12 Q. Now, this job application that Rose
13 submitted to Market America was for a position that
14 she was applying for called the unfranchised
15 services representative. Are you aware of that?

16 A. That ---

17 Q. --- Yes.

18 A. --- Application?

19 Q. Yes.

20 A. Oh. No, that -- I mean, I didn't know
21 that was the application for unfranchise services.

22 Q. Are you aware that that was the position
23 she applied for when she started, first started ---

24 A. --- When she started, yes.

25 Q. --- At Market America?

